

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

April 10, 2003

P. Sartorius called the meeting to order at 4:02 p.m., and roll was taken.

MEMBERS PRESENT: T. Harryman, J. Aslakson, B. Mazade, S. Warmington, P. Sartorius, T. Johnson, B. Smith, T. Michalski, L. Spataro

MEMBERS ABSENT: B. Mazade, excused; B. Smith, excused.

STAFF PRESENT: D. Steenhagen, B. Moore, J. Fitzpatrick, H. Griffith

OTHERS PRESENT: R. McCoy, Laborers of Christ; R. Conrad, 1085 Roberts; J. Moore, 1236 E Isabella, G. Moore, 1236 E Isabella; B. Hickel, 1274 Evanston; D. Taylor, 3854 Peninsula; M. Jenkins, 487 Washington; J. Bailey, 330 W Grand; R. Nielsen, 420 Carmen; G. Ramie, 1624 Catherine; A. Jones, 1735 Superior.

APPROVAL OF MINUTES

A motion to approve the minutes of the regular meeting of March 13, 2003 was made by T. Johnson, supported by T. Michalski and unanimously approved.

S. Warmington arrived at 4:03 p.m.

PUBLIC HEARINGS

Hearing; Case 2003-7: Request for a Special Use Permit for a church at 1215 E. Apple Ave., by Our Redeemer Lutheran Church. D. Steenhagen presented the staff report. The property is located on the corner of Apple Ave. and Roberts St. and is an existing church building with an adjacent residence also owned by the church. The property is zoned R-1, Single-Family Residential. Churches are permitted in the R-1 district under Special Use Permit. There is no record that this particular church currently has a special use permit, so it has been considered to be a legal nonconforming use. The church is requesting to put an addition on the building for a fellowship hall. Therefore they are applying for a Special Use Permit for the property. The church is asking to also be allowed to park four RV's behind a residence also located on the church's property. The RV's would house workers from the 'Laborers for Christ' program who would be working on the addition and the RV's would only be on the property for a period of 3 months. The Zoning Ordinance prohibits recreational vehicles from being occupied as dwellings. Also, the subject property is zoned single-family, which does not allow campgrounds as a permitted use. However, the Planning Commission does have some discretion to decide if this use could be permitted on a temporary basis, as proposed by the applicant. Staff has reviewed the submitted site plan and has the following comments: a) The

site contains an existing church building and an existing residential building. Staff is unsure of the current use of the residence. b) The addition would be constructed to the side of the existing building and would take up some of the existing parking area. The total number of seats or pew area in the church should be provided so that staff can determine whether the church will still have sufficient parking spaces to meet the required amount. Churches are required to have one space per 6 seats or 12 feet of pews. c) The site plan shows that the RV's would be parked behind the existing residence to the south of the church. There is a note that electric, sewer and water will be used from the existing residence. d) Staff has a concern with the RV's being parked in a yard area. The Zoning Ordinance requires that all parking be on paved surfaces. There is a paved parking area located to the north of the residence and adjacent to it, with no curbing in between. Staff feels that if the RV's are allowed to be parked on the site that they should be parked on the paved area. e) It appears that there is an existing chain-link fence located between the church's property and existing residential properties to the east. Only a portion of this fence has vinyl slats in it to screen the church property from the residences. Vinyl slats or some kind of vegetation (vines) should be added to the fence along the rest of the property line to screen the church's property and especially the RV's from the adjoining residences. f) The Inspections Department has stated, "All mechanical contractors, plumbers and electricians must be licensed and registered with the State of Michigan and the City of Muskegon per state law and local ordinances. There are concerns with electrical hook-ups for the RV's. They must have a permit, be inspected and approved prior to use. The RV sanitary facilities are a concern. Sewer hook-ups must be reviewed and approved prior to use. The RV water hook-ups must be reviewed and approved prior to use". g) The Department of Public Works has stated, "The proposed RV water/sewer connections must be approved by the Plumbing Inspector and City Water Department". h) The Engineering Department has not yet submitted any comments. Staff will bring any comments to the meeting. i) The Fire Marshal has denied the site plan and has stated, "There are concerns for electrical power supply and electric safety during the stay of the RV's. There are also concerns for the usage of LP Gas". j) The Police Department has no concerns with the site plan. There are quite a few campgrounds in the Muskegon area. Staff feels that the RV's would be better off parked in a campground, which has electric, sanitary and water hook-ups already set up for this use, than in a residential area. The workers could easily commute from a local campground to the church. Staff has received one phone call regarding this case. The caller did not leave a name or address but had concerns with the possible parking of the RV's on the street. When told that the RV's would be parked off-street, she stated she then had no concerns with the request. Staff recommends approval of the request regarding the addition to the church. Staff recommends denial of the RV parking, based on the concerns for utility hook-ups. However if the Planning Commission were inclined to approve this portion of the request, staff would propose conditions. A letter of support was provided to the commission members. A lady had questioned if the RV's would store the equipment only or if people would be staying in them. She gave no opinion.

L. Spataro asked if the parking lot was an expansion along Ada. Currently there is no entrance to the parking lot on Ada. D. Steenhagen stated that it was existing parking and a curb cut is proposed on Ada. T. Johnson asked how the utilities would be obtained. D. Steenhagen stated that the RV's would be connected to the home's utilities. R. McCoy stated that the connection to the utilities would be to code requirements. The lines would be underground and not visible. J. Aslakson asked about the number of people that would be staying in the RV's. R. McCoy stated that there would be no more than 2 couples in each of the 4 RV's. J. Aslakson stated that

would make no more than 16 people all together. R. McCoy agreed. T. Harryman asked why the RV's had to be at the site and not at a campground that is equipped for this kind of stay. R. McCoy stated that he had researched a stay at a campground for 4 RV's for a different project and it was about \$18,000 for 4 RV's for 3 months. This would take money out of the project. By the workers staying at the site, this helps with security. T. Michalski asked if they had done utility hook-ups before. T. McCoy stated that they had and that licensed contractors would perform the utility hook-ups. T. Michalski asked if the workers were licensed. R. McCoy stated that the workers perform the rough in. They would contract out items such as electrical. P. Sartorius asked if the applicant was aware that the Fire Department had denied the site plan and had concerns. R. McCoy stated that the LP gas is directly hooked up to the RV's and the utilities would be run underground and hooked to the power box. J. Aslakson asked if there would be a problem with the utility hook-up if the RV's were required to park on pavement. R. McCoy stated that the RV's would park on the pavement if required and that there wouldn't be a problem with the utilities. The reason why they proposed not to park on the pavement is that they didn't want to take up parking spaces for the church. T. Harryman asked if they had priced Muskegon campsites. R. McCoy stated that they had not.

L. Spataro asked what the seating capacity was at the church. R. Conrad stated that the seating capacity is 440, which would require 73 parking spaces. The expansion would leave 50 parking spaces. They may expand the parking lot toward the south. They own the home and would demolish it when they needed to expand the parking lot. He added that on an average the attendance is about 220 at one time. D. Steenhagen asked if the church has seats or pews. R. Conrad stated that they have pews. D. Steenhagen asked if he knew the length of the pews. R. Conrad stated that he didn't. D. Steenhagen stated that according to the zoning ordinance the number of parking spaces needed is based on 1 parking space for every 12 ft. of pew. L. Spataro asked if the expansion would be 1 or 2 stories. R. Conrad stated that it would be a 1-story addition. L. Spataro asked once the number of parking spaces needed was determined, would the applicant be willing to enter into a written agreement with timelines for providing any additional parking spaces that may be needed. R. Conrad stated that they would have no problem entering into the agreement. J. Moore stated that he lives in the home that is behind the proposed parking area for the RV's. He is opposed to the RV's parking in that location as it would obstruct his view and he has children that play in his backyard. He is not opposed to the RV's parking on the paved portion of the church parking lot. G. Moore stated that she had no objections to the expansion. She is concerned that the area will give the appearance of an RV park. She also felt the RV's should be parked on the paved portion of the church parking lot. R. Conrad stated that he lives across the street from the church and has no problem with the RV's being parked at the church for 3 months. G. Moore suggested that some of the neighbors who attend church services there, may be willing to house the workers or allow them to park the RV's in their driveways for the 3 months. R. Conrad stated that no matter where the RV's are parked; there would still be an issue with the City ordinance.

A motion to close the public hearing was made by J. Aslakson, supported by L. Spataro and unanimously approved.

T. Harryman stated that he would have problems with people living in RV's if this were in his neighborhood. He doesn't feel he could support this.

A motion that the special use permit and associated site plan for a church addition at 1215 E. Apple Ave. by Our Redeemer Lutheran Church be approved, based on compliance with the City's Master Land Use Plan and conditions set forth in the City of Muskegon Zoning Ordinance based on the following conditions: 1) The number of seats (or pew length) in the main worship area will be provided to staff so that it can be determined if the church will still meet parking requirements after the addition is built, and if parking isn't met with what is at the location, then the applicant must enter into a written agreement with timelines for the parking lot expansion to the south of the existing parking lot. 2) Screening (such as vinyl slats) must be added to the existing chain-link fence between the church property and all adjoining residential properties, was made by L. Spataro, supported by J. Aslakson and unanimously approved.

A motion that the special use permit to allow the parking of 4 RV's at 1215 E. Apple Ave. by Our Redeemer Lutheran Church be approved, based on compliance with the City's Master Land Use Plan and conditions set forth in the City of Muskegon Zoning Ordinance based on the following conditions: 1) The four RV's are allowed to park on the premises only under the following conditions: a) The RV's may not be located on site for any longer than a 3-month period unless approval for an extended stay is given by staff and the Inspections, Fire and Public Works Departments. b) All utility hook-ups, including water, sewer and electric, must meet all requirements of and be inspected by the Inspections, Fire and Public Works Departments. If any requirements for utility hook-ups cannot be met then the RV's may not be placed on the site. c) The RV's must be parked on a paved area at all times, was made by J. Aslakson, supported by L. Spataro with discussion on the motion continuing.

T. Johnson stated that the driveway to the home was paved and suggested that one of the RV's could park there. T. Harryman asked what the zoning ordinance states regarding RV's. D. Steenhagen stated that RV's could be stored, but not lived in, and they would need to be screened. P. Sartorius asked if it was legal for the PC to approve this under a special use permit since it would be in violation of the zoning ordinance. L. Spataro suggested approving the request contingent on approval of the City Attorney or they could table this portion of the request until the commission members have the information. T. Johnson asked if there were provisions in the ordinance regarding construction trailers. D. Steenhagen stated that they are allowed in any of the zoning districts, but not to be lived in. J. Aslakson stated that this request would be different if it weren't for the fact that the workers would be along the lines of retired couples. He felt the impact would be visual and not due to the noise. P. Sartorius stated that he is concerned with whether or not this would be legal for the PC to approve this.

A motion to add an amendment to the motion that this would be contingent upon the City Attorney's approval, was made by T. Johnson, supported by J. Aslakson and unanimously approved with more discussion on the original motion.

T. Harryman stated that by tabling this request, the applicant could see what other options are out there for them instead of staying in the RV's at the church location. L. Spataro stated that there is work involved with routing utilities along with an expense. The workers may be able to stay elsewhere. He isn't comfortable with the RV's at the site either, but he also understands that there would be a timetable that the church is working with in order to complete the expansion. S. Warmington asked for confirmation of what the residents were concerned with regarding the RV's. His understanding was that the residents weren't opposed to the RV's

being there as long as they were parked in the parking lot as opposed to the yard of the church's house. G. Moore stated that was correct.

A motion to add another amendment to the motion that the RV's would be parked on the paved parking lot south of the existing church, was made by L. Spataro, supported by T. Johnson and unanimously approved.

The full motion would read as follows:

A motion that the special use permit to allow the parking of 4 RV's at 1215 E. Apple Ave. by Our Redeemer Lutheran Church be approved, based on compliance with the City's Master Land Use Plan and conditions set forth in the City of Muskegon Zoning Ordinance based on the following conditions: 1) The four RV's are allowed to park on the premises only under the following conditions: a) The RV's may not be located on site for any longer than a 3-month period unless approval for an extended stay is given by staff and the Inspections, Fire and Public Works Departments. b) All utility hook-ups, including water, sewer and electric, must meet all requirements of and be inspected by the Inspections, Fire and Public Works Departments. If any requirements for utility hook-ups cannot be met then the RV's may not be placed on the site. c) The RV's must be parked on a paved area at all times at the parking lot to the south of the existing church. 2) Approval is contingent upon the City Attorney's approval, was made by L. Spataro, supported by J. Aslakson and approved with T. Harryman voting nay.

Hearing; Case 2003-8: Request to rezone the property located at 986 E. Keating Ave. from B-4, General Business to R-1, Single-Family Residential, by Robert Edward Hickel. D. Steenhagen presented the staff report. The subject property is located on Keating Ave., north of the City's Medendorp Industrial Park, between Valley and Madison Streets. The entire north side of Keating St. in this area is zoned B-4, including the subject property. The area is a mix of residential and industrial uses in general. The applicant has stated "I would like to move the house at 957 Broadway in Norton Shores to 990 Keating...in East Muskegon. This home will blend in with the houses in this area. Dan Deitz moved a house for me to 1331 Ada also one to 1882 McLaughlin, he will also move this one for me". The Future Land Use Map shows the subject property to be "Single & Two-Family Residential". The Master Land Use Plan states: Single and multiple family housing are found in the sub-area's northwest quadrant. Sub-Area Stability: Reinvestment in existing single-family, housing units is minimal. Housing located in the interior portions of the sub-area is undergoing replacement by new and/or expanding industries. In some instances, homes (home sites) are being assembled to accommodate industrial development. Sub-Area Issues: a) Designation and use of the sub-area for industrial development will require the removal of single-family housing. b) The combination of land uses (e.g., housing, medical, commercial, and industrial) may result in land use compatibility conflicts unless development is carefully regulated. c) In several instances, non-residential "spot" development has been allowed to encroach upon residential locations. The Master Plan recommends for this sub-area: a) The area north of East Barney Avenue, west of Madison Street, and south of East Delano Street should be retained as mixed use residential. b) Any commercial or industrial development bordering residential should provide high quality buffering in the form of architectural screening and landscaping. Given the Master Plan recommendation and the mostly residential nature of this area, staff is planning on looking into a wider-scale rezoning of more of the commercially zoned properties in this area, north of the

industrial park. Staff had received a phone call from a gentleman on Keating making sure that it wasn't his property. He gave no opinion once he found out it wasn't. Given that the area is predominantly residential and that the Master Plan recommends that this area remain residential, Staff recommends approval of the request. D. Steenhagen provided the commission members a copy of a letter from the applicant stating that he was going to move the home to a lot on Fleming. D. Steenhagen had asked the applicant if he wanted to withdrawal this request since he was moving the home on Fleming instead, but the applicant wanted to see if the commission members would approve the rezoning of the lot on Keating.

J. Aslakson asked what the lot size was. D. Steenhagen stated that it was 64 ft. by 120 ft. B. Hickel stated that he would be moving the home to a lot next to 1174 Fleming. P. Sartorius asked if he would like to withdrawal the request or go ahead and rezone the lot on Keating. B. Hickel stated that they could withdraw the request.

This request was withdrawn.

Hearing; Case 2003-9: Request for a Special Use Permit for a driver's education school at 1165 W. Hackley Ave., by Dave Taylor. D. Steenhagen presented the staff report. The property is located on Hackley Ave., adjacent to Glenside School and across the street from Hackley Village apartments. The property is zoned B-2, which allows private schools operated for profit, under special use permit. The applicant wishes to allow a driver's education school to open on the property. The site was the former Ozzy's Bagels and has been vacant since Ozzy's closed. Since the building is already in place, staff was only able to review the site plan in terms of how the existing site will function, for the purpose of the proposed use. Staff has reviewed the submitted site plan and has the following comments: a) The site contains an existing building and associated paved parking. There is a 20-foot grass strip between the east side of the building and the east property line, with some low bushes along the building on this side. Additional landscaping could be added as well. b) The parking lot is paved up to the west property line and adjoins the east parking lot of Glenside School. There is no clear distinction between the two lots. c) The parking lot is being proposed to be striped to provide 16 parking spaces. This is above and beyond what is required by the ordinance. Since it is a driver's education school (no students will be parking there since they can't drive yet), the parking needs are anticipated to be minimal. The sizes of the proposed spaces are not given on the site plan – all parking spaces need to be a minimum of 8' x 18'. d) There is a small area to the south of the existing paved lot that is shown to be for driver's cars and a future garage. If this area is to be used for parking, it needs to be paved and striped. The garage would require a minor staff site plan review at the time it is ready for construction and would need to meet setback requirements. e) The applicant must contact the Inspections Department prior to any activity on site to determine building code requirements for the proposed use at the subject property. Any alterations, remodeling or "change of use" will require sealed architectural blueprints be submitted that reflect the building will meet current code requirements before any permits or certificate of occupancy can be issued. f) The Department of Public Works and Fire Marshal have no concerns with the site plan. g) The Police Department has no concerns with the site plan. h) Staff has not received any comments from the Engineering Dept. but will bring any comments to the meeting. Staff has not received any phone calls or letters regarding this case. Staff recommends approval of the request with conditions.

D. Taylor stated that he is the owner of the property. He has two teachers that are interested in opening a driver's training school at the location. T. Johnson asked if there was gravel in front of the building. D. Taylor stated that it was white gravel stone.

A motion to close the public hearing was made by J. Aslakson, supported by S. Warmington and unanimously approved.

A motion that the special use permit and associated site plan for a driver's education school at 1165 W. Hackley Ave. by Dave Taylor be approved, based on compliance with the City's Master Land Use Plan and conditions set forth in the City of Muskegon Zoning Ordinance based on the following conditions: 1) All parking areas need to be paved and striped with parking spaces no smaller than 8'x18'. 2) The applicant will work with the Inspections Dept. to meet any requirements of that department. 3) If a garage is to be built in the future on the property, a minor staff site plan review will be applied for at that time. Any proposed garage will meet all ordinance requirements at the time that such site plan approval is applied for, was made by T. Johnson, supported by S. Warmington and unanimously approved.

Hearing; Case 2003-10: Staff-initiated request to rezone multiple properties in the portion of the city bounded by Washington Ave., Seaway Dr., Southern Ave. and Peck St. D. Steenhagen presented the staff report. This rezoning is a continuation of the 'Area 10' rezoning which was done last fall. At that time, the City Commission asked staff to look into the possibility of continuing the rezoning to the area south of Washington Ave., which was left mostly zoned as 'RT, Two-Family Residential' at that time. Staff has followed the same process as before in terms of conducting a land-use survey of the area and proposing downzoning for the residential, commercial and industrial properties in the area. Staff visually inspected every one of the 219 parcels within what is being called 'Area 10b'. Each parcel was given a land-use designation. The commission members were provided with maps and a code. As before, staff has sent letters to each of the property owners asking them to verify that the land use designation for their property(ies) has been correctly identified. This effort is ongoing, but staff anticipates having a complete and accurate picture of the current land uses to add to the existing land use study previously done in Area 10. Based in part on the land use information gained so far by the survey, and on what the Master Plan and recent planning efforts have stated for this general area, staff is proposing that most of the properties within Area 10b be rezoned. A mailing has been sent to every property owner and tenant of record, both within Area 10b and within 300 feet of the boundaries of Area 10b, informing them that this rezoning is being proposed and discussed by the Planning and City Commissions. The current zoning of most of the residential properties within Area 10b is RT, Two-Family Residential. There is a small amount of RM-1, Low Density Multiple-Family Residential, zoning along Peck St. The land use survey showed that although there are some existing multi-family dwellings within the area, the majority of residential properties do contain single-family homes. Therefore, staff is proposing to rezone most of the residential properties to R-1, Single-Family Residential. Any existing multi-family units would be permitted to remain as legal nonconforming uses, but no further single-family homes would be able to be converted to multi-family units. The small stretch of Peck St. would be zoned as RM-1, consistent with the rest of Peck St. Staff is proposing that the Clock Funeral Home property be left as B-1 zoning and that the zoning be aligned with the existing parcel boundaries. The Muskegon High School property was rezoned as part of the earlier, Area 10, process, so is not included in the current request. The existing industries on the west side of

Area 10b would either be left zoned as I-1, Light Industrial, or rezoned from I-2, General Industrial, to I-1. There is one parcel currently zoned as B-4, General Business. Staff is proposing that this property be downzoned to B-2, Convenience & Comparison Business. The current use, a roofing contractor, would still be permitted in the B-2 district under Special Use Permit.

L. Spataro asked why the homes between Southern and Grand on Peck St. were being zoned RM-1 (low density multiple family residential). He felt that this was too intensive since 4 out of the 6 homes in this area were single family. He felt that this should be zoned R-1 (single family residential). D. Steenhagen stated that the properties were already zoned RM-1 and staff hadn't proposed any changes to that area. T. Harryman asked what would happen to a current business if the property were re-zoned. D. Steenhagen stated that the business would be allowed to remain and would be considered legal non-conforming. M. Jenkins had thought that the re-zoning was to increase the intensity i.e. from B-2 zoning to a B-4 zoning. He was fine with the request once he understood that it was to go from B-4 zoning to a B-2 zoning. J. Bailey stated that she owns a 2-unit apartment home on Grand Ave. She asked if she would have to change the home to single family if this were approved. P. Sartorius stated that she would be able to continue the use if the request to re-zone is approved. R. Nielsen felt that more clarification was needed regarding the legal non-conforming use, or if an apartment were vacant or destroyed. D. Steenhagen explained that with the re-zoning, any homes currently being used a multi-family would be able to remain. Should the apartment(s) be vacant for more than 2 years, then the home would need to comply with the current zoning. Should the home be destroyed over 50%, then the home would have to convert to the current zoning. Which would mean that if there is a 2-unit home that is destroyed over 50% and the property is zoned single family, the owner would only be allowed to rebuild a single family structure.

A motion to close the public hearing was made by T. Harryman, supported by L. Spataro and unanimously approved.

A motion the rezoning of multiple properties in the portion of the city bounded by Washington Ave., Seaway Dr., Southern Ave. and Peck St with the 6 lots on Peck St. between Grand and Southern Aves. being rezoned to single family residential be recommended for approval to the City Commission, was made by L. Spataro, supported by T. Harryman with discussion on the motion continuing.

T. Johnson asked about the legality of the letter that had gone to the owners. He was concerned whether or not the letter stated what the proposed rezoning of each of the properties had been stated on the letter. D. Steenhagen stated that the letter doesn't tell the homeowner what the proposed change would be, but that it does let them know that the properties would be downzoned. He thought the letter should have stated what each of the properties were currently zoned and what the proposed rezoning would be in order for the letter to be legal. He asked if the homeowners owning the properties on Peck St. between Grand and Southern Aves. would need to be re-notified that the PC was suggesting rezoning these properties. D. Steenhagen stated that PC had suggested changing the zoning when they were looking at the Area 10 zoning, and at that time the City Attorney was asked if the owners would need to be re-notified. The City Attorney stated that with the way the original letter was worded, re-notification wasn't necessary. T. Johnson suggested amending the motion adding that the approval be based on the

City Attorney's review and approval of the notification process.

A motion the rezoning of multiple properties in the portion of the city bounded by Washington Ave., Seaway Dr., Southern Ave. and Peck St with the 6 lots on Peck St. between Grand and Southern Aves. being rezoned to single family residential be recommended for approval to the City Commission with the condition that this would be based on the City Attorney's review and approval of the notification process, was made by L. Spataro, supported by T. Harryman and approved with T. Johnson voting nay.

Hearing: Case 2003-11: Staff initiated request to amend the parking standards of the Zoning Ordinance in order to make corrections related to the previous downtown parking standards amendment. D. Steenhagen presented the staff report. In February, when the Downtown Parking Overlay was added to the Zoning Ordinance, the language was intended to replace the existing #4 of Section 2326 (Off-Street Parking and Loading). The amendment was written to add #13 and #14 but neglected to remove the existing #4. The current language is therefore conflicting, and staff is asking to remove #4 to 'clean-up' the language. The commission members were provided with the proposed changes to the language.

A motion to close the public hearing was made by L. Spataro, supported by T. Johnson and unanimously approved.

A motion that the parking standards of the Zoning Ordinance be amended in order to make corrections related to the previous downtown parking standards amendment be recommended to the City Commission for approval, was made by T. Johnson, supported by J. Aslakson and unanimously approved.

OLD BUSINESS

Case 2003-1: Request for a Planned Unit Development on McLaren St., Village at Jackson Hill, by Findlay Development LLC (tabled). D. Steenhagen stated that this case is to remain tabled. The developer has completed purchase of the property and staff anticipates that this case will be taken back up on the May agenda.

Case 2003-2: Request for a Special Use Permit for a Bed & Breakfast in the Heritage District, 502 W. Webster Ave., by Sarah Pulling (tabled). D. Steenhagen stated that this case is to remain tabled. The applicant will be going before the Historic District Commission at the beginning of May and staff anticipates bringing this back before the Planning Commission at the May meeting. G. Buckley had provided the commission members an article from a newspaper regarding scrap booking along with photos showing the parking situation.

Case 2003-4: Request for a Special Use Permit for a church at 1341 S. Getty St., by Second Timothy Missionary Baptist (tabled). D. Steenhagen presented the staff report. The subject property is located on Getty St., between Hill and Catawba Aves. The facility has an existing structure with paved parking, and is about a half-acre in size. The parking area is paved but in poor condition. A new site plan has been submitted by the applicant. Since the building is already in place, staff was only able to review the site plan in terms of how the existing site will function, for the purpose of the proposed use. Staff has reviewed the submitted site plan and

has the following comments: a) The site plan is to scale and does show the parking areas and maneuvering lanes, which do meet ordinance requirements. b) A four-foot fence is shown on the site plan along the south and west property lines. This fence needs to be a screen for those adjoining residential properties – either a privacy fence, or chain-link with vinyl slats. The type of fence should be noted on the site plan. Curb stops need to be provided to protect the screening. c) The principal building is over 30 feet from surrounding homes. d) There are several catch basins shown on the site plan in the existing parking area. The site plan shows several areas which although not labeled, appear to be greenspace. Some of these areas could possibly be utilized for stormwater retention if the parking area is re-graded and re-surfaced. The Zoning Ordinance requires one parking space for every six seats in a church. The site plan shows 220 seats which would require 37 spaces. There are 39 spaces shown on the site plan, which meets ordinance requirements. The site plan shows curb stops along the Hill Ave. frontage, as suggested by staff for pedestrian safety. The site plan also shows new landscaping to be provided along the Getty St. frontage. Details on the areas marked with hash lines need to be provided. If these areas are to be greenspace, some form of landscaping should be provided in them, especially at the corner of Hill Ave. and Getty St. The existing tree shown on the west property line should be marked as to be retained. The Getty Corridor Plan discusses the need to improve the quality of design in developments as the opportunity arises. The Planning Commission may want to require a monument sign instead of a pole sign for the site. The applicant must contact the Inspections Department prior to any activity on site to determine building code requirements for the proposed use at the subject property. Any alterations, remodeling or “change of use” will require sealed architectural blueprints be submitted that reflect the building will meet current code requirements before any permits or certificate of occupancy can be issued. Tammy Houston of 783 Catawba is opposed to the request. She feels there is not enough parking for the use on site. Staff recommends approval of the request with conditions.

L. Spataro inquired about the slashed portions of the parking lot on the site plan. He asked if this meant that a vehicle wouldn't be able to park at those locations on the site plan. D. Steenhagen stated that may have been the reasoning for the slash marks, but it would need to be clarified on the site plan. G. Ramie stated that they are working to comply with building code requirements. P. Sartorius asked if they were willing to have a monument sign as staff has proposed as opposed to the pole sign. G. Ramie stated that they are willing to do what is required of them. T. Johnson asked if the applicant had looked at the impact noise could have on the neighbors. J. Allen stated that this is a sturdy brick building and contains the noise quite well.

A motion that the special use permit and associated site plan for the church at 1341 Getty by Second Timothy Missionary Baptist be approved, based on compliance with the City's Master Land Use Plan and conditions set forth in Section 2315 of the City of Muskegon Zoning Ordinance based on the following conditions: 1) Drainage problems in the parking area must be adequately addressed and approved by the Engineering Department. 2) The four-foot fence shown on the site plan needs to be a privacy or screen fence. The existing tree along the west property line needs to be marked as to remain. 3) The signage would be a monument sign, was made by J. Aslakson, supported by L. Spataro and unanimously approved.

OTHER

Discussion of projects for the 2003 CEDS (Comprehensive Economic Development Strategy) list. The commission members were provided with copies of the 2003 CEDS. J. Fitzpatrick stated that he is asking for a PC recommendation to the City Commission for approval. The commission members discussed the applications. L. Spataro asked if the Farmer's Seafood Market had a specific location. J. Fitzpatrick stated that they are currently looking at a couple of sites. They don't have to have the chosen site at this time. L. Spataro suggested adding the northward expansion of Seaway Industrial Park next year. T. Harryman asked if the list was prioritized. J. Fitzpatrick stated that it wasn't. WMSRDC would prioritize it at a later date.

A motion that the projects for the 2003 CEDS be recommended to the City Commission for approval, was made by J. Aslakson, supported by L. Spataro and unanimously approved.

Harbour Towne. B. Moore provided the staff report. They are trying to finding a peaceful solution for the sidewalk issue. The condo board would like to have one flat rate for everyone. She has asked the City Attorney if the City could bill each unit so the condo board doesn't have to collect. J. Aslakson asked who was originally responsible for this. B. Moore stated that Harbour Towne was. The average would be about \$650 per person. J. Aslakson stated that he saw no problem with assessing this. B. Moore stated that she is waiting to see what the City Attorney says. She would like to find a peaceful solution that the condo board and the City could agree on. T. Johnson suggested looking at how the road, water and sewer were paid for. He believed that they were assessed and each unit had paid the same amount.

Imagine Muskegon Workshop. P. Sartorius stated that this is underway. There will be design workshops meeting in May. They are looking at creating a conceptual design by the end of June. He would like to see the commission members attend. He reminded them that if they are interested, to please RSVP since each workshop is limited to 35 people.

2003/2004 Workplan. The commission members were provided with the tallied list. J. Aslakson gave his votes to D. Steenhagen at the meeting.

A motion to approve the 2003/2004 Workplan with the addition of J. Aslakson's votes, was made by S. Warmington, supported by T. Michalski and unanimously approved.

HDC. L. Spataro stated that D. Chambers had meet with the Charter Group and walked through the mall. The HDC has asked the City Commission to create an ad-hoc committee to look at each of the buildings to see if there is a historic significance. They may be recommending some historic districts for different buildings at the site. He named the 5 structures that they are looking at for the creation of historic districts. They are looking at designation by the end of the year.

There being no further business, the meeting adjourned at 6:15 p.m.

hmg
4/10/03